

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROSS UNIVERSITY SCHOOL OF MEDICINE, LTD.,

Plaintiff,

- against -

BROOKLYN-QUEENS HEALTH CARE, INC. and
WYCKOFF HEIGHTS MEDICAL CENTER,

Defendants.
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09 Civ. 1410 (KAM) (RLM)

**DEFENDANTS' NOTICE OF
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT, upon the Declaration of Justin H. Roeber, dated December 2, 2011, and the exhibits thereto, the Declaration of David N. Hoffman, dated November 30, 2011, and the exhibits thereto, the Declaration of Adam Figueroa, dated November 29, 2011, the Declaration of John H. Cook, Jr., dated November 16, 2011, the Declaration of Vincent Arcuri, dated November 16, 2011, the Declaration of A.C. Rao, M.D., dated November 14, 2011, the Declaration of Emil Rucigay, dated November 17, 2011, Defendants' Local Rule 56.1 Statement of Undisputed Facts, and the accompanying Memorandum of Law, Defendants Brooklyn-Queens Health Care, Inc. and Wyckoff Heights Medical Center will move this Court before the Honorable Kiyo A. Matsumoto, United States District Court Judge for the District Court for the Eastern District of New York, United States Court House, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1 granting Defendants' Motion for Partial Summary Judgment dismissing two of Plaintiff's principal theories of liability, and awarding such other and further relief as the Court deems just and proper.

Pursuant to this Court's Order of November 9, 2011, opposing papers, if any, shall be served by January 10, 2012, reply papers, if any, shall be served by January 24, 2012, and the fully briefed motions shall be filed via ECF by January 24, 2012.

Dated: New York, New York
December 2, 2011

Respectfully submitted,

K&L GATES LLP

By: _____

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